

**AGENDA**  
**North Miami City Council**  
776 N.E. 125<sup>th</sup> Street, 2<sup>nd</sup> Floor, Council Chambers  
North Miami, FL 33161

REGULAR MEETING

TUESDAY, OCTOBER 8, 2013  
7:00 P.M.

**1. PLEDGE OF ALLEGIANCE**

*(Zico Fremont, Florida International University Student,  
Arts and Sciences Senator)*

**2. INVOCATION**

*(Pastor Luna Marchand, SBNA Ministries)*

**3. CALL TO ORDER / ROLL CALL OF MEMBERS**

**4. ORDER OF BUSINESS** (Additions/Deletions/Amendments/Deferrals)

**5. SPECIAL PRESENTATION(s)**

- ◆ City of North Miami Library Visioning Master Plan presentation  
by *Jose Murguido, AIA, Zyscovich Architects*

**6. CITY EVENTS – ANNOUNCEMENT**

**7. HURRICANE PREPAREDNESS**

**8. CITY PROJECTS 2013 UPDATE**

**9. CITIZENS' FORUM**

**10. CONSENT AGENDA**

*UNLESS A MEMBER OF THE CITY COUNCIL WISHES TO REMOVE A SPECIFIC ITEM FROM THIS PORTION OF THE AGENDA, TABS A THROUGH D CONSTITUTE THE CONSENT AGENDA. THESE RESOLUTIONS AND ITEMS ARE SELF-EXPLANATORY AND ARE NOT EXPECTED TO REQUIRE ADDITIONAL REVIEW OR DISCUSSION. EACH ITEM WILL BE RECORDED AS INDIVIDUALLY NUMBERED RESOLUTIONS, ADOPTED UNANIMOUSLY BY THE FOLLOWING MOTION:*

*“...THAT THE CONSENT AGENDA COMPRISED OF TABS A THROUGH D BE ADOPTED...”*

**[TAB A]**

APPROVAL OF MINUTES – Regular Council Meeting – September 24, 2013  
2<sup>nd</sup> Budget Hearing – September 25, 2013

*Sponsored by: Michael A. Etienne, City Clerk*

**[TAB B]**

AUTHORIZATION FOR EXPENDITURE FROM THE LAW ENFORCEMENT TRUST FUND FOR TOWER FEES FOR RADIOS USED BY CODE ENFORCEMENT

*Sponsored by: City Administration*

*Responsible Staff Person: Marc Elias, Chief of Police*

**[TAB C]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE AWARD OF A CITY-ISSUED FIREARM TO RETIRED POLICE OFFICER FELIX GUADARRAMA IN RECOGNITION OF TWENTY-SIX (26) YEARS OF SERVICE TO THE CITY OF NORTH MIAMI AND THE NORTH MIAMI POLICE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Marc Elias, Chief of Police*

**[TAB D]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ADOPTING A REVISED CLASSIFICATION AND PAY PLAN FOR CLASSIFIED AND UNCLASSIFIED EMPLOYEES OF THE CITY FOR THE 2013-2014 FISCAL YEAR BUDGET; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Rebecca Jones, Personnel Director*

**11. PUBLIC HEARINGS – RESOLUTIONS, ORDINANCES, ZONING, LAND USE ITEMS, ETC.**

**11.A. QUASI-JUDICIAL ITEM(S) -- [NONE]**

*(NOTE: Quasi-Judicial items will usually be Approve/Deny/Approve with Conditions.)*

*QUASI-JUDICIAL PUBLIC HEARINGS: PLEASE BE ADVISED THAT THE ABOVE ITEM(S) ON THE AGENDA ARE QUASI-JUDICIAL IN NATURE. IF YOU WISH TO COMMENT UPON ANY OF THESE ITEMS, PLEASE INDICATE THE TAB NUMBER YOU WOULD LIKE TO ADDRESS WHEN THE ANNOUNCEMENT REGARDING THE QUASI-JUDICIAL ITEM IS MADE. AN OPPORTUNITY FOR PERSON(S) TO SPEAK ON EACH ITEM WILL BE MADE AVAILABLE AFTER THE APPLICANT AND STAFF HAS MADE THEIR PRESENTATIONS ON EACH ITEM.*

*SWEARING IN: ALL TESTIMONY, INCLUDING PUBLIC TESTIMONY AND EVIDENCE, WILL BE MADE UNDER OATH OR AFFIRMATION. ADDITIONALLY, EACH PERSON WHO GIVES TESTIMONY MAY BE SUBJECT TO CROSS-EXAMINATION. IF YOU DO NOT WISH TO BE EITHER CROSS-EXAMINED OR SWORN, YOUR TESTIMONY WILL BE GIVEN ITS DUE WEIGHT. THE GENERAL PUBLIC WILL NOT BE PERMITTED TO CROSS-EXAMINE WITNESSES, BUT THE PUBLIC MAY REQUEST THE COUNCIL TO ASK QUESTIONS OF STAFF OR WITNESSES ON THEIR BEHALF. THE FULL AGENDA PACKET ON EACH ITEM IS HEREBY ENTERED INTO THE RECORD. PERSONS REPRESENTING ORGANIZATIONS MUST PRESENT EVIDENCE OF THEIR AUTHORITY TO SPEAK FOR THE ORGANIZATION. FURTHER DETAILS OF THE QUASI-JUDICIAL PROCEDURES MAY BE OBTAINED FROM THE CLERK. (IN ACCORDANCE WITH CODE SECTIONS 2-291 AND 2-305, ANY LOBBYISTS MUST REGISTER BEFORE ADDRESSING THE COUNCIL ON ANY OF THE FOLLOWING ITEMS). AT THIS TIME, COUNCILMEMBERS MUST DISCLOSE ANY EX-PARTE COMMUNICATIONS CONCERNING ANY ITEMS ON THE AGENDA. AT THIS TIME, THE CLERK WILL SWEAR IN ANY PERSON WHO WISHES TO TESTIFY ON ANY QUASI-JUDICIAL ITEM.*

## 11.B. RESOLUTIONS

### [TAB E]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE VACATION, ABANDONMENT, CLOSURE AND SALE OF A PORTION OF A CITY RIGHT OF WAY, ALONG NORTHEAST 127 STREET, LYING SOUTH OF 12716 GRIFFING BOULEVARD, CONSISTING OF APPROXIMATELY FIVE THOUSAND SEVEN HUNDRED THREE (5,703) SQUARE FEET IN SIZE; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE THE SALE OF THE SUBJECT PORTION OF THE RIGHT OF WAY, IN ACCORDANCE WITH CHAPTER 29, ARTICLE 3, DIVISION 9, CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, AND TO TAKE ALL NECESSARY STEPS TO EFFECTUATE CONVEYANCE OF PROPERTY; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Tanya Wilson-Sejour, Interim CP&D & Planning/Zoning Manager*

### [TAB F]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SELECTION OF LEE CONSTRUCTION GROUP, INC., IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE INVITATION FOR BID NO. 35-12-13 CITY HALL – MEP REPLACEMENT (MECHANICAL, ELECTRICAL & PLUMBING), TO PROVIDE ALL LABOR, MATERIALS, TOOLS, EQUIPMENT, SUPERVISION, SAFETY REQUIREMENTS, AND RELATED SERVICES NECESSARY FOR CITY HALL BUILDING MECHANICAL, ELECTRICAL, AND PLUMBING REPAIRS; AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, AT A COST OF ONE HUNDRED FORTY-EIGHT THOUSAND DOLLARS (\$148,000.00), AND A CONTINGENCY AMOUNT NOT TO EXCEED TEN (10) PERCENT OF THE COST, IF REQUIRED; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Ruby C. Johnson, Purchasing Manager*

### [TAB G]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE FOURTH OPTION TO RENEW PROFESSIONAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND RISK MANAGEMENT ASSOCIATES, INC., TO CONTINUE TO PROVIDE THE CITY WITH POLICE PROFESSIONAL LIABILITY INSURANCE COVERAGE FOR ONE (1) ADDITIONAL YEAR, AT A COST NOT TO EXCEED ONE HUNDRED SEVENTY-EIGHT THOUSAND SEVEN HUNDRED THIRTY-THREE DOLLARS (\$178,733.00); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Ruby C. Johnson, Purchasing Director*

**[TAB H]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE ATTACHED CLEAN WATER FACILITIES PLAN ADDENDUM TO THE CITY OF NORTH MIAMI SANITARY SEWER MASTER PLAN AND SECOND CYCLE SANITARY SEWER EVALUATION SURVEY (“FACILITIES PLAN”); AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO DO ALL THINGS NECESSARY TO IMPLEMENT THE FACILITIES PLAN IN ORDER TO OBTAIN AVAILABLE FUNDING FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING FUND (“SRF”), IN ACCORDANCE WITH FLORIDA LAW; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

***(CONTINUED FROM THE AUGUST 27, 2013 COUNCIL MEETING)***

*Sponsored by: City Administration*

*Responsible Staff Person: Aleem Ghany, Public Works Director*

**11.C. LEGISLATIVE MATTERS**

**11.C.1. ORDINANCES – SECOND READING AND PUBLIC HEARING**

**[TAB I]**

PROPOSED ORDINANCE (***SECOND READING***) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “LAND DEVELOPMENT REGULATIONS”, BY AMENDING ARTICLE 4, DIVISION 3 ENTITLED “NON-RESIDENTIAL DISTRICTS”, SPECIFICALLY AT SECTION 4-302 ENTITLED “USES PERMITTED”, TO ESTABLISH ‘RECREATION/ENTERTAINMENT, OUTDOOR’ AS A SPECIAL EXCEPTION USE IN THE M-1 ZONING DISTRICT, TO FOSTER ECONOMIC GROWTH CONSISTENT WITH THE CITY OF NORTH MIAMI COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

*Sponsored by: City Administration*

*Responsible Staff Person: Tanya Wilson-Sejour, Interim CP&D & Planning/Zoning Manager*

**[TAB J]**

PROPOSED ORDINANCE (***SECOND READING***) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 2 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES TO UPDATE, ORGANIZE, AND CLARIFY SPECIFIC SECTIONS OF THE CHAPTER, INCLUDING SUBSTANTIVE LEGAL, STYLISTIC AND ORGANIZATIONAL CHANGES, WHILE PROVIDING CONSISTENT USE OF TERMS AND CORRECTION OF SCRIVENER’S ERRORS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

*Sponsored by: City Administration*

## **11.C.2. ORDINANCES – FIRST READING**

### **[TAB K]**

PROPOSED ORDINANCE (*FIRST READING*) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 15 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “PENSIONS AND RETIREMENT”, TO INCLUDE CHANGES IN ACCORDANCE WITH AND FOLLOWING AMENDMENTS TO THE CITY CHARTER AND TO AMEND ARTICLE III, ENTITLED “CLAIR T. SINGERMAN EMPLOYEES RETIREMENT SYSTEM,” TO ALLOW FOR A RETIREMENT INCENTIVE PROGRAM; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

*Sponsored by: City Administration*

## **12. REQUESTS – PETITIONS – COMMUNICATIONS**

### **[TAB L]**

DISCUSSION AND APPROVAL REGARDING ALLOCATING \$650,000 TO SIDEWALKS, STREETScape, BEAUTIFICATION AND OTHER CAPITAL IMPROVEMENTS IN DISTRICT 2.

*Sponsored by: Councilwoman Carol Keys, Esq.*

### **[TAB M]**

DISCUSSION REGARDING NORTH MIAMI’S RED LIGHT CAMERA SYSTEM.

*Sponsored by: Vice Mayor Scott Galvin*

## **13. COUNCIL REPORTS**

Councilwoman Carol Keys, Esq.

Vice-Mayor Scott Galvin

Councilman Philippe Bien-Aime

Councilwoman Marie Erlande Steril

Mayor Lucie M. Tondreau

## **14. CITY CLERK’S REPORT**

## **15. CITY ATTORNEY’S REPORT**

## **16. CITY MANAGER’S REPORT**

## **17. ADJOURNMENT**

• THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE CITY CLERK, (305) 893-6511, Ext. 12142.

• IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL N FOUR DAYS PRIOR TO SUCH PROCEEDING. HEARING IMPAIRED MAY CONTACT THE TDD LINE AT (305) 893-7936.

ANY DECISION MADE BY THE CITY OF NORTH MIAMI CITY COUNCIL, WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

- AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE CITY CLERK, CITY OF NORTH MIAMI, 776 N.E. 125<sup>TH</sup> STREET, NORTH MIAMI, FL 33161. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE CITY CLERK AT (305) 893-6511.
  - IN ACCORDANCE WITH CODE SECTIONS 2-291 AND 2-305, ANY LOBBYISTS MUST REGISTER WITH THE CITY CLERK'S OFFICE BEFORE ADDRESSING THE COUNCIL ON ANY OF THE ABOVE ITEMS.
  - TWO OR MORE MEMBERS OF THE CITY COUNCIL AND OTHER CITY BOARDS MAY BE IN ATTENDANCE AT THIS MEETING.
  - THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY A TELEPHONE CONFERENCE CALL. THE LOCATION, 776 N.E. 125<sup>TH</sup> STREET, NORTH MIAMI, FL 33161-0850, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT.
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#### **ALCOHOLIC BEVERAGE SYMBOLS**

- 1-COP Beer only, Consumption on Premises
- 2-COP Beer and Wine, Consumption on Premises
- 4-COP Beer, Wine and Alcohol, Consumption on Premises
- 1-APS Beer, Package Sales Only
- 2-APS Beer and Wine, Package Sales Only
- 3-APS Beer, Wine and Alcohol, Package Sales Only

#### **ZONING SYMBOLS**

- R-1 Residential Estate District
- R-2 Single-Family District
- R-4 Multi-Family District
- R-5 Multi-Family District
- R-6 Multi-Family District
- RO Residential Office District

#### **ZONING SYMBOLS (continue)**

- C-1 Commercial District
- C-3 Commercial District
- C-2BE Commercial District
- C-2BW Commercial District
- M-1 Industrial District
- PU Public Use District
- PD Planned Development District
- AOD Arts, Culture and Design Overlay District
- NRO Neighborhood Redevelopment District